

FULL SIGNATORY AUTHORITY
WORKSHEET

SERIAL NUMBER: 09754998

EXAMINER: Helms, L

DATE: 30 May 2003

ACTION(S) REVIEWED

Nonfinal Rej



NOTES:

1. IF A CLEAR ERROR COULD BE CHARGED UNDER TWO OR MORE OF: PATENTABILITY DETERMINATION; ACTION TAKING; OR PATENT EXAMINING FUNCTIONS, IT IS ONLY CHARGEABLE ONCE, UNDER THE FIRST APPROPRIATE LISTED CATEGORY.
2. IN A GIVEN OFFICE ACTION IT IS POSSIBLE TO HAVE TWO OR THREE CLEAR ERRORS, IF THEY ARE BASED ON UNRELATED(DIFFERENT ERRORS), AND ARE CHARGED IN DIFFERENT CATEGORIES.
3. ONLY ONE PATENTABILITY DETERMINATION AND/OR ACTION TAKING AND/OR PATENT EXAMINING FUNCTIONS ERROR IS CHARGEABLE AGAINST AN EXAMINER IN A SINGLE OFFICE ACTION.
4. IN AN APPLICATION WHERE MORE THAN ONE OFFICE ACTION IS BEING REVIEWED IT IS POSSIBLE TO HAVE A PATENTABILITY DETERMINATION AND/OR AN ACTION TAKING AND/OR PATENT EXAMINING FUNCTIONS ERROR IN EACH OFFICE ACTION.
5. IF THE EXAMINER HAS REPEATED THE SAME ERROR IN TWO OFFICE ACTIONS IN AN APPLICATION IN THE REVIEW PERIOD, TWO ERRORS SHOULD E CHARGED AGAINST THE EXAMINER.

Abbreviations: Office Action = OA Not Applicable = N/A

PATENTABILITY DETERMINATION

<u>A. MAJOR ACTIVITIES</u>	YES	NO	COMMENTS
a. ALL CLAIMS PATENTABLE (UNDER 35 USC 102 & 103), OVER ALL ART OF RECORD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. ARE ALL CLAIMS PATENTABLE (UNDER 35 USC 102 & 103) OVER ALL ART WHICH IS NOT OF RECORD BUT SHOULD BE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. ARE ALL CLAIMS PATENTABLE UNDER ALL OTHER PERTINENT SECTIONS OF THE STATUTE (e.g., 101, 102, 103, 112, 251, etc.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
d. ARE ALL CLAIMS PATENTABLE UNDER ALL NONSTATUTORY REJECTIONS (e.g., OBVIOUSNESS TYPE DOUBLE PATENTING)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<u>B. IS THERE A "CLEAR ERROR" COMMITTED</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<u>C. SUPPORTING EXPLANATION</u>	<input type="checkbox"/>		

ACTION TAKING

<u>A. MAJOR ACTIVITIES</u>	YES	NO	COMMENTS
a. DO ACTIONS INCLUDE ALL REASONABLE REJECTIONS, (MPEP 7.07(g))	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. WERE ANY UNREASONABLE REJECTIONS MADE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. WERE ANY UNREASONABLE FORMAL REQUIREMENTS MADE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
d. DID THE EXAMINER TAKE ANY ARBITRARY OR CAPRICIOUS ACTION	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
e. IS THE RECORD, TAKEN AS A WHOLE, REASONABLY CLEAR AND COMPLETE, INCLUDING REASONS FOR ALLOWANCE WHERE NECESSARY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
f. DO ACTIONS PROPERLY TREAT ALL MATTERS OF SUBSTANCE IN APPLICANT'S RESPONSE, INCLUDING AFFIDAVITS/DECLARATIONS, IF ANY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<u>B. IS THERE A "CLEAR ERROR" COMMITTED</u>			
<input type="checkbox"/> <input checked="" type="checkbox"/>			
<u>C. SUPPORTING EXPLANATION</u>			
<input type="checkbox"/>			

PATENT EXAMINATION FUNCTIONS

<u>A. WERE THESE FUNCTIONS PROPERLY PERFORMED</u>	YES	NO	COMMENTS
1a. CHECKING APPLICATIONS FOR FORMAL MATTERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
1b. CHECKING APPLICATION FOR TECHNOLOGICAL ACCURACY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
2. TREATING DISCLOSURE STATEMENTS & STATEMENTS AND CLAIMS FOR PRIORITY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
3. ANALYZING DISCLOSURE AND CLAIMS FOR COMPLIANCE TO 35 USC 112	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4. PLANNING FIELD OF SEARCH	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
5. CONDUCTING SEARCH	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6. FORMULATING REJECTIONS UNDER 102/103 OR DETERMINING HOW CLAIMS DISTINGUISH OVER PRIOR ART	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
7. DETERMINING WHETHER AMENDMENT INTRODUCES NEW MATTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. DETERMINING WHETHER RESTRICTION IS PROPER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. DETERMINING OPERABILITY/UTILITY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. EVALUATING/APPLYING CASE LAW	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. EVALUATING SUFFICIENCY OF AFFIDAVITS/DECLARATIONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. DETERMINING WHETHER APPROPRIATE LINE OF PATENTABLE DISTINCTION MAINTAINED BETWEEN APPLICATIONS &/OR PATENTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. EVALUATING SUFFICIENCY OF REISSUE OATH/DECLARATION	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. EVALUATING APPROPRIATENESS OF GROUNDS FOR REEXAMINATION	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

B. IS THERE A "CLEAR ERROR" COMMITTED

<input type="checkbox"/>	<input checked="" type="checkbox"/>
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C. SUPPORTING EXPLANATION

Suggest examiner use FP 7.103 in second and subsequent nonfinals. OA indicates that there are some new rejections. While clear as to what are the new rejections, "some" usually indicates that there are more rejections than what are shown. Suggest that the terminology should, e.g., be "The following are new grounds of rejection"